

**RESOLUTION NO. CZAB14-37-05**

*WHEREAS*, **ESMERALDA LONDOÑO WHITTLE** applied for the following:

- (1) UNUSUAL USE to permit a dog kennel.
- (2) Applicant is requesting to permit the kennel use with a lot area of 2 acres (5 acres required).
- (3) Applicant is requesting to permit an accessory building setback 30.5' from the front (south) property line (75' required) on a dual frontage lot and setback a minimum of 7' from the side street (west) property line (30' required).
- (4) Applicant is requesting to permit a minimum spacing of 11' between accessory structures (20' required).
- (5) Applicant is requesting to permit accessory uses in front of a principal structure on a dual frontage lot (not permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #5 (inclusive) may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Detail of Dogs Kennels" dated 3/4/05 and "Cage Detail," dated stamped received 5/16/05 as prepared by Esmeralda Whittle and a survey as prepared by Jose Perez, dated 4/28/05.

**SUBJECT PROPERTY:** Commencing at the Northwest corner of the NE ¼ of Section 26, Township 55 South, Range 38 East; thence run N89° 31'04"E along the north line of said NE ¼ for a distance of 685.06' to a point; thence run S2° 03'47"E for a distance of 40.01' to the Point of beginning of a parcel of land hereinafter to be described; thence run N89° 31'04"E along a line 40' south of and parallel with the north line of the NE ¼ for a distance of 213.32' to a point; thence run S2° 03'47"E for a distance of 361.98' to a point; thence run S43° 56'00"W for a distance of 137.19' to a point; thence run N46° 04'00"W for a distance of 124.49' to a Point of curvature of a circular curve to the right; thence run along said circular curve to the right having for its elements a radius of 100' and an interior angle of 44° 00'13" for an arc distance of 76.8' to a Point of tangency; thence run N2° 03'47"W for a distance of 304.15' to the Point of beginning, less the external area formed by a 25' radius arc concave to the Southeast, tangent to a line that is 40' south of and parallel with the north line of said NE ¼ and tangent to a line that is 25' east of and parallel with the east line of the NW ¼ of the NW ¼ of the NE ¼ and less the external area formed by a 25' radius arc concave to the Northeast, tangent to a line that is 25' north of and parallel with centerline of a 50' right-of-way running N43° 56'00"E and tangent to a line that is 25' east of and parallel with the centerline of a 50' right-of-way running N46° 04'00"W.

**LOCATION:** 18990 S.W. 152 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested unusual use (Item #1), and the requests to permit the kennel use with a lot area of 2 acres (Item #2), to permit an accessory building setback 30.5' from the front (south) property line on a dual frontage lot and setback a minimum of 7' from the side street (west) property line (Item #3), to permit a minimum spacing of 11' between accessory structures (Item #4), and to permit accessory uses in front of a principal structure on a dual frontage lot (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and that the requested unusual use would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, a motion to approve Items #1 - 4, was offered by Curtis Lawrence, seconded by Dawn Lee Blakeslee, and upon a poll of the members present, the vote was as follows:

Samuel Ballinger	aye	Rose L. Evans-Coleman	absent
Wilbur B. Bell	aye	Don Jones	absent
Dawn Lee Blakeslee	aye	Curtis Lawrence	aye
	Dr. Pat Wade		nay

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 14 that the requested unusual use (Item #1) be and the same is hereby approved.

*BE IT FURTHER RESOLVED* that the requests to permit the kennel use with a lot area of 2 acres (Item #2), to permit an accessory building setback 30.5' from the front (south) property line on a dual frontage lot and setback a minimum of 7' from the side street (west) property line (Item #3), to permit a minimum spacing of 11' between accessory structures (Item #4), and to permit accessory uses in front of a principal structure on a dual frontage lot (Item #5) be and the same are hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 17<sup>th</sup> day of October, 2005.

Hearing No. 05-9-CZ14-6  
Is

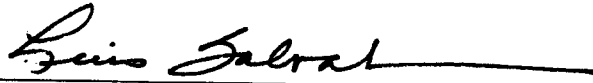
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 1<sup>ST</sup> DAY OF NOVEMBER 2005.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-37-05 adopted by said Community Zoning Appeals Board at its meeting held on the 17<sup>th</sup> day of October 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1<sup>st</sup> day of November, 2005.



Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning

SEAL



Department of Planning and Zoning

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Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Task Force on Urban Economic Revitalization  
Vizcaya Museum And Gardens  
Water & Sewer

November 1, 2005

Esmeralda Whittle  
18990 S.W. 152 Street  
Miami, FL 33187

Re: Hearing No. 05-9-CZ14-6 (05-63)  
Location: 18990 S.W. 152 Street, Miami-Dade County, Florida

Dear Ms. Whittle:

Enclosed is Resolution No. CZAB14-37-05, adopted by Miami-Dade County Community Zoning Appeals Board 14, which approved your application on the above noted location.

Please be aware that the Board's decision may be appealed to Circuit Court by any aggrieved party within 30 days of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is November 1, 2005.

If an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of court filings concerning this matter should be served upon both my office and:

Murray A. Greenberg, County Attorney  
111 N.W. 1st Street, Suite 2810  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Lou Salvat  
Deputy Clerk

Enclosure

*Delivering Excellence Every Day*